

Remarks

Claims 1-15 are pending in the application and are subject to restriction and/or election. Claims 1-2 encompass the invention elected by Applicant for examination and are drawn to a method for storing electric energy, classified in class 320, subclass 128. Claims 3-15 encompass the non-elected invention and are drawn to an apparatus for storing electric energy, classified in class 361, subclass 502.

Applicant fully agrees with Examiner Ha that Claim 1 and Claim 2 encompass an invention, a method for storing electric energy, which is completely different and distinct from a second invention, an apparatus for storing electric energy, as encompassed by Claims 3-15. However, Applicant also recognizes Examiner Ha has kindly hinted at a rejection that will most likely arise during the examination process as related to the obviousness of the elected invention as encompassed by Claim 1 and Claim 2. Examiner Ha has noted that Claim 1 and Claim 2 both encompass methods which Examiner Ha indirectly indicates can be done in a different manner, in a different order, or by some other known apparatus. This would then imply an eventual rejection of the claims due to obviousness in light of some prior art which Examiner Ha is already aware of, but which has not yet been cited. Therefore, for the purpose of saving valuable time and efforts (and money) in the examination process, Applicant therefore submits a preliminary amendment canceling Claim 1 and Claim 2, which are drawn to a method for storing electric energy and which encompass the invention elected by the Applicant for examination. Claim 16 and Claim 18 effectively replace Claim 1 and Claim 2, respectively, but the new claims each provide an apparatus for accomplishing the methods now known as the invention elected for examination. Applicant apologizes for improperly drafting Claim 1 and Claim 2 by not first providing an apparatus by which the methods of the invention can be accomplished. That unfortunately opened the door to a lot of confusion and interpretation, while properly drafted claims would have surely saved precious time and resources in the prosecution of this patent. The elected invention, however, is still regarded by the Applicant as a method or methods for storing and retrieving electric energy, classified in class 320, subclass 128 even though a specific

apparatus is provided in each method. Claims 3-15 have been withdrawn because they encompass an invention not elected by the Applicant for examination.

Conclusion


Applicant has submitted a statement of invention election as required by the Examiner, and for the above reasons, Applicant has also submitted a preliminary amendment which places the specification and claims in much better form for examination and for eventual allowance.

Conditional Request For Constructive Assistance

Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel methods which are also unobvious. If, for any reason this application is not believed to be in full condition for examination and eventual allowance, then Applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to MPEP 2173.02 and 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for extended proceedings.

Prompt consideration, examination, and allowance are respectfully requested.

Respectfully submitted,

By 

James S. Hacs

13 Dartmouth Ave.

Pueblo, CO 81005

Tel. (719) 561-4138

- Applicant Pro Se -

Certificate of Facsimile Transmission

I certify that on the date below I will fax this communication, and attachments if any, to Group 2831 of the Patent and Trademark Office at the following number: (571) 273-8300
Date: 4 September, 2006

Inventor's Signature

